

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Bria Bratton,

Plaintiff,

v.

Case NO. 2:15-cv-66

State of Ohio Bureau of
Worker's Compensation, et al.,

Defendants.

ORDER

This matter is before the court on the May 6, 2015, report and recommendation of the magistrate judge recommending that the instant action be dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute. On January 8, 2015, the magistrate judge ordered plaintiff to pay the filing fee or to provide an affidavit establishing her financial inability to do so. Despite the fact that the deadline for filing an affidavit was extended three times, plaintiff failed to comply with the order of January 8, 2015. On April 14, 2014, the magistrate judge entered a show cause order requiring plaintiff to show no later than April 28, 2015, why the case should not be dismissed for want of prosecution. When plaintiff failed to respond, the magistrate judge filed the May 6, 2015, report and recommendation.

The report and recommendation specifically advised the parties that the failure to object to the report and recommendation within fourteen days "will result in a waiver of the right to de novo review by the District Judge and waiver of the right to appeal the judgment of the District Court." Doc. 11, p. 4. The time period for filing objections to the report and recommendation has expired,

and no objections have been filed.

Having reviewed the record, the court agrees with the report and recommendation (Doc. 11), and it is hereby adopted. Pursuant to Rule 41(b), this action is hereby dismissed without prejudice for failure to prosecute.

Date: May 27, 2015

s/James L. Graham
James L. Graham
United States District Judge